

503.35255VX9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: K. AOTA, et al.
Serial No.: 10/600,608
Filed: JUNE 23, 2003
Title: FRICTION STIR WELDING METHOD AND STRUCTURE BODY
Group: 1725
Examiner: Jonathan J. Johnson
Confirm. No.: 9596

TERMINAL DISCLAIMER

Mail Stop: AF - FEE

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

December 14, 2005

Sir:

Petitioner, Hitachi, Ltd., having its place of business at 6, Kanda Surugadai 4-chome, Chiyoda-ku, Tokyo 100, Japan, represents that it is the sole owner of the entire interest of U.S. Application No. 10/600,608, filed June 23, 2003, for FRICTION STIR WELDING METHOD AND STRUCTURE BODY, and that a copy of the Assignment of all rights in connection with the above-identified application is attached hereto.

Petitioner hereby disclaims all that portion of the term of any patent to be issued on the above-identified application subsequent to the expiration date of the full statutory term, defined in 35 USC 154 to 156 and 173, of the earliest-expiring U.S. Patent from among U.S. Patent No. 6,585,443, issued July 1, 2003, No. 6,607,837, issued August 19, 2003, No. 6,840,426, issued January 11, 2005, No. 6,862,860, issued March 8, 2005, No. 6,953,144, issued October 11, 2005, and any U.S. Patent issuing from Application No. 10/600,577, filed June 23, 2003, from

Application No. 10/600,574, filed June 23, 2003, from Application No. 10/600,608, filed June 23, 2003, and from Application No. 11/084,020, filed March 21, 2005.

Petitioner also hereby agrees that any patent issued on the above identified application shall be enforceable only for and during such time as the said any U.S. Patent issuing from the above-identified application (hereinafter "said any U.S. Patent") and U.S. Patent No. 6,585,443 are commonly owned; said any U.S. Patent and U.S. Patent No. 6,607,837 are commonly owned; said any U.S. Patent and U.S. Patent No. 6,840,426 are commonly owned; said any U.S. Patent and U.S. Patent No. 6,862,860 are commonly owned; said any U.S. Patent and U.S. Patent No. 6,953,144 are commonly owned; said any U.S. Patent and any U.S. patent issuing from Application No. 10/600,577 are commonly owned; said any U.S. Patent and any U.S. Patent issuing from Application No. 10/600,574 are commonly owned; said any U.S. patent and any U.S. Patent issuing from Application No. 10/600,608 are commonly owned; and said any U.S. Patent and any U.S. Patent issuing from Application No. 11/084,020 are commonly owned.

Petitioner, however, does not disclaim the terminal part of any patent granted on the instant application prior to the expiration date of the full statutory term, defined in 35 USC 154 to 156 and 173, of said earliest-expiring U.S. Patent in the event that said earliest-expiring U.S. Patent expires: for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims cancelled by a reexamination certificate; is reissued; or is otherwise terminated prior to expiration of the above-referred-to full statutory term, except for the separation of legal title as stated above.

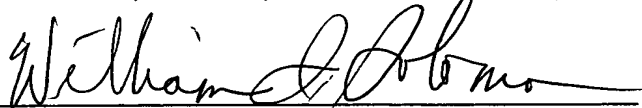
This disclaimer is to be binding with respect to any patent granted on the above-identified application, and is binding upon grantees, their successors, or assignees of any interests.

The undersigned is an attorney of record in this application and is empowered to act on behalf of Hitachi, Ltd. for execution and submission of Terminal Disclaimers, in accordance with the provisions of 37 CFR 1.321(b) and (c), effective January 4, 1994.

The undersigned hereby declares that all statements made herein of his knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

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Enclosure: Copy of Assignment (1 pg.)

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